

**City of Bloomington
Telecommunications Council
Business Meeting – September 3rd, 2013**

**Common Council Chambers
City Hall at the Showers Building
401 N. Morton St.**

I. Members Present: Carl Zager, Thom Gillespie, Eric Ost and Duane Busick

Members Absent: None

Note: There is one vacant position available on the Telecommunications Council.

II. Public Comment – Lennon Beasley, Local producer

During the month of August, Lennon produced and edited 47 new programs.

- 41 Bowling Practice shows
- 1 Worship Celebration
- 3 Drum shows
- 2 Sentimental Journey

III. Approval of Minutes:

Carl Zager - I noticed that there are two different versions of the minutes. One is more of a summary and the other is a more detailed report. The city IT department was suggested that we look at these versions, and choose what fits best. I feel that this is a different issue than approving the monthly minutes.

Thom Gillespie – Then we should just approve the content of the minutes for August.

Carl Zager – That would be my motion.

Carl Zager motioned that the minutes for the August 8th, 2013 meeting be approved. Eric Ost seconded the motion. The question was called. All members were in favor. The motion was passed.

Thom Gillespie – Do we want discuss the format now or under new business?

Carl Zager – Timing doesn't really matter. I've always felt there is a fine line between the legal actions that take place in a meeting and comments that are said in a meeting. I've never felt minutes needed to be very detailed. I've always been in favor of more generalized commentary, and be specific when an action is taken which requires language be accurate (word for word). I'm in favor of the shorter one.

Eric Ost - This was provided to us unprompted from the City IT Department based on prior discussions and concerns regarding abbreviated minutes. Personally, I feel it's very helpful to understand the context because not all meetings are available for viewing. Ours are, but not all meetings. I would like to see enough information in the minutes to be able to follow along in some intelligent way as opposed to a brief memorandum style, which the state allows. The narrative version reads much smoother and is not that much longer. This is the official record of our business; it should stand the test of time. I would rather see the narrative.

Thom Gillespie – I sort of agree with Carl, but when looking at the narrative, I think the bullet point version has more information in some cases. To me the narrative uses too many pronouns. When it comes down to which version, I don't care. I would like to have both, but my main concern is to have fewer pronouns and more specifics.

Carl Zager – The content of the August 8th meeting is represented well in both versions. I think some meetings the narrative would run three to four pages and contain Carl Zager repeating himself five or six times. I don't think that is necessary for the minutes. I think we should ask the IT Department to give us one more month with the two different versions of the minutes because it seems that we see good things in both. My preference is the summary type, with concrete, accurate statements of any business that takes place.

Eric Ost – If possible we should be able to confer with the person doing the minutes to take care of this instead of it being a part of the meeting. We could recommend that we prepare the minutes, which would put the responsibility on the council and create more work for us. There are many boards and commissions that do their own minutes. It might be good if the person preparing the minutes would get in touch with us to review it in advance. Would that be acceptable?

No one disagreed. There was no motion made. It was decided to ask the IT department to have both formats submitted again next month.

IV. Reports and Announcements

1. Telecom Members

Eric Ost - On August 28th, Thom Gillespie and I had a meeting with Steve Volan. The meeting lasted about an hour and a half. Steve gave Eric many suggestions on how to move things forward. Thom and I also gained an appreciation of the constraints that Steve is under. Several points came from this meeting:

1. Inviting folks to a public lecture. Steve encouraged us to put a proposal together for funds to support a lecture by Susan Crawford, author of "Captive Audience". Susan was contacted after the meeting and it does seem like this is something that could happen. Either franchise funds or the Business Development fund could be used to support such a lecture.
2. Moving forward with the charter. Steve asked for a copy of the charter that was presented in 2011. Steve was provided a copy. He gave us an indication that it may be possible to move this forward in September but we have yet to see that because of the busy schedule.
3. Steve mentioned that his impression is that the franchise fees are not at risk. Eric mentioned to Steve some of the risks that the council felt were important. Steve encouraged us to watch the budget meeting. Eric did so, and did hear several comments pertaining to the fees. Eric then discussed those comments with Matt Pierce and he stated that there still may be some legislation passed that could affect franchise fees. But it could also be like last year and the legislation may not get out of committee.

Susan Crawford is available from September 26-28th. A suggested date for the public lecture was September 28th. Thom Gillespie mentioned that this was the same time as the Lotus Festival.

A motion was made by Duane Busick to authorize Thom Gillespie to pursue funding to bring Susan Crawford to Bloomington for a public lecture. If needed, the council would do some collaborative work with Indiana University. Carl Zager seconded the motion. The question was called. All were in favor.

2. CATS – Michael White

* Local Programming slate was read

*On August 19th, the City Council voted unanimously to support CATS for 2014. CATS would like to thank the council for helping CATS celebrate its 40th birthday and giving another year of support.

Thom Gillespie – Does the baby contest at the fair get streamed?

Michael – I'd have to check. We do get a lot of copy requests from that event.

3. WTIU – Phil Mayer

*In September, TIU World is adding a new national program, PBS News Hour Weekend. It is the first time News Hour has had weekend episodes. It will air Saturday and Sunday at 6pm.

*In Focus finished in August, and will not be running anymore.

*Issue with AT&T U-verse

History behind getting AT&T to carry PEG channels:

- AT&T is a broadband service provider
- 30.1 HD service is carried in the Indianapolis market only
- 6 PEG channels: 1 WTIU, 5 CATS
- A letter was sent to IURC from the city stating that PEG channels were not being carried. IURC basically stated they could do nothing unless the city wanted to go through formal legal channels, which they did not. This began lengthy negotiations with AT&T U-verse for carriage of the PEG channels.

- WTIU engineering designed a package that would run through the Telecom Hotel and relay the signals needed to AT&T U-verse and had the city purchase the equipment.
- In July, an article in the newspaper stated that the PEG channels were being carried on AT&T U-verse. This was not totally correct.
- WTIU went to the library to make sure everything was operational. We found the 6th slot transmitter was missing. We've ordered a replacement piece. We are trying to get the TIU World signal to the Telecom Hotel.
- Verbally, we've heard second hand that AT&T refuses to carry TIU World on U-verse, but have not directly received notification of this in either written or verbal form.

WTIU's first request is for the council or the city to forward any notification from AT&T to WTIU. It is felt that there is some confusion between 30.1 which they are carrying already in HD on their broadcast tier, and 30.2 TIU World which AT&T would carry on channel 99. The second request is to have a meeting outside the public meeting to make sure things are working properly from everyone's perspective and that all six channels are carried on AT&T U-verse. WTIU is mostly concerned if anyone has received notification of them refusing to carry TIU World channel. State law dictates that AT&T has to carry PEG channels. WTIU wants to pursue that if it is AT&T's stance.

Carl Zager – Is 30.2 also being carried by Comcast as a separate channel?

Phil Mayer – It is assigned to Ch. 17 on the basic tier. There is also a digital assignment at 435, but it is not part of the analog basic tier.

Carl Zager – An analog customer would only get 17 on Comcast.

Phil Mayer – Yes.

Eric Ost – I would like to see a report from the city on the status of the contract.

Carl Zager motioned that the council ask the city administration if they have received any such notice from AT&T and if so, to contact WTIU and proceed with appropriate action. Duane Busick seconded the motion. The question was called. All were in favor.

Thom Gillespie – I am curious about the missing transmitter.

Phil Mayer – The equipment was ordered in 2008, but not installed until there was a need for it.

Eric Ost – Did WTIU do that installation?

Phil Mayer – Yes, with the assistance of CATS.

Duane Busick – Are other PBS stations having difficulty with AT&T U-verse getting their signals on?

Phil Mayer – There is a national agreement between the NCTA and PBS. AT&T being a broadband provider claims that they are not bound by that agreement. They are not a cable provider even though they use the state franchise law to get subscribers.

Eric Ost – WTIU 2 is a PEG channel. Under that consideration it isn't necessarily entitled to a must carry position on AT & T system but is entitled under state law as a PEG channel. (Question directed to CATS) Are all the other five PEG channels running on AT & T?

CATS, Michael White - Yes, the other PEG channels are running. This is the first I've heard of missing equipment. It has been under a coded key lock. Very few individuals have access. I'm guessing it was misplaced.

Eric Ost – WTIU engineers realized this in July.

Phil Mayer – They realized it wasn't working in July but did not realize the piece was missing till August. The replacement was ordered on August 27th. It is a very recent development.

Eric Ost - The city had to be involved at some point in accepting the purchase order. Has the city been notified?

Phil Mayer – I don't know who to notify.

Eric Ost – Who did you deal with when you ordered the equipment? That would be your principal contact.

Phil Mayer – The order was submitted to Rick Dietz. I would like George Hofstadter to get together with Michael White to go in there and look over things. If the piece is missing then we need to file notification, insurance claims, etc.

Eric Ost – A city employee needs to be present since it is a city piece of equipment.

Carl Zager– Eric, did you want to make your motion?

Eric Ost – I want to know what the status of the AT&T contract is, the information which pertains to carriage of all the PEG channels, and where the hand-off point is. I know we can get that from the Board of Public Works. I'm going to suspend my motion, and do some leg work first. I'm going to go back and watch the meeting where Rick Dietz appeared and presented the contract. I will download a copy of the contract and see if my questions are answered.

Duane Busick – Does WTIU and CATS want a copy of the minutes as well?

Phil Mayer – After they are approved would be nice.

Eric Ost motioned that a copy of the agenda for the telecommunication council meetings be sent to both CATS and WTIU before the meetings. Carl Zager seconded the motion. The question was called. All were in favor.

V. Information from or about Video Service Provider – No Report

VI. Old Business

Carl Zager – After the August 8th meeting, I was contacted with some additional information. I shared this information with members of the council. I felt the additional information affected the tenor of the report. I was uncomfortable with some of the language in the report. I suggested we adjust the report to reflect that discomfort.

Eric Ost – The communication in question was an email from Rick Dietz to Thom Gillespie and then forwarded on to everyone. It was not known to Carl at the time and he authored most of the report. Some revisions were made, and then it was read into the public record. Given the level of discomfort toward the wording and because I don't see what the problem is, I have a motion for a revision. How would you feel if we attached a copy of that email, and also copies of the video service provider's fee transmittals, which are referenced in the report? By providing it in the report, we are being up front with every bit of communication.

Carl Zager – If the council is comfortable with that, I can be too.

Eric Ost – We would reference the appendixes (in the report).

Eric Ost made the motion that an appendix be added to the report. The appendix will include copies of the video service providers (Smithville, Comcast, and AT &T) fee transmittals for the first and second quarter of 2013, and a copy of the email sent to Thom Gillespie from Rick Dietz. A reference will be added to the report stating that this appendix was added.

Duane Busick – I do not feel comfortable seconding this motion. The tone of the document doesn't fit in our mission that has been trimmed down by the State of Indiana. The mention of video service providers not doing things, or being late, is not something we can do as this body.

Eric Ost – Did you receive a copy of the report before the August meeting, and after the work session? You didn't attend the work session meeting. You didn't make any comments before the report was read into public record at the August meeting. I am withdrawing my motion.

Duane Busick – If the report needs so many addendums then the report needs to be re-done.

Thom Gillespie – We need to have a short work session. We need to have agreement before going forward with this.

Eric Ost – I want to understand your position about the report. What are your concerns about us overstepping our abilities in the report?

Duane Busick – Critiquing the video service providers.

Eric Ost – I would like to hear in detail how you think the report critiques the video service providers. To me, it is just stating the facts. It also reports on concerns we have discussed.

A motion was made by Thom Gillespie that a short work session be set on the calendar. Eric Ost seconded the motion. The question was called. All were in favor. Work session date was set for Tuesday, September 17th at 5:30pm in the CATS meeting room. The council will need to ask the city to provide public notice.

VII. New Business - None

VII. Adjournment

Thom Gillespie adjourned the meeting.

Next Regular Meeting

October 1st, 2013

Common Council Chambers in City Hall at the Showers Building
401 N. Morton St.

Submitted by:

Stephanie Jachim 9/17/2013